**Protection of Fundamental Rights in the EU**

**Dr. Petra JENEY**

**Assistant Professor**

**Department of International Law (ELTE)**

**Course description**

Building on the general introduction on the Council of Europe and the 1950 Convention for the Protection of Human Rights and Fundamental Freedoms, known as the European Convention on Human Rights (ECHR), the aim of this course is to draw the horizon of the rights protected under this instrument. In this vain the course aims provide a solid base for understanding the European system of protecting fundamental rights. The primary focus of the course is to introduce the scope and ambit of the rights protected by the ECHR as interpreted by the European Court of Human Rights (ECtHR). Among others the right to life and the prohibition of torture, the right to liberty and security, the right to fair trial, the right to privacy, freedom of expression, freedom of conscience and religion, right to effective remedy and the principle of non-discrimination will be discussed in detail. In analyzing the rights protected under the auspices of ECHR methods of interpretation as applied by the ECtHR will be duly considered and the derogations offered by the Convention itself will be mapped out as well. Understanding the mechanism of protection provided by the ECHR and the interpretative technique will be facilitated with case studies and analyzing of ECtHR judgments

**Competences**

The primary objective of the course is to enable the students to gain a horizontal understanding and appreciation of the concrete rights protected under the ECHR and the corresponding case law of the ECtHR. Students will gain an in-depth insight on the substantive protection provided by the ECHR on the one hand and to understand the contribution of the ECtHR on the other. Competences acquired in this course will include the ability to distinguishing matters triggering protection under the ECHR from those which fall outside of its scope, the ability to identify the major issues related to the scope, interpretation and derogations of a certain right under the ECHR. Students will be also familiar with the ECtHR’s corresponding case law and will be able to link that case law to national practices.

**Assessment**

Students are expected to do the coursework properly, regularly attend the classes and not to be absent from more than one class. Students who are to receive grades are required to prepare one presentation on a specific topic during the term and sit for an exam at the end of the term.

Schedule:

**Seminar 1-2. General introduction, the system of protection**

**Seminar 3-4. Civil and political rights I.**

**Seminar 5-6. Civil and political rights II.**

**Seminar 7-8. Economic and social rights**

**Seminar 9-10. Specific protection**

*Right of parties to court proceedings*

 *Protection of aliens*

**Exam**